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JS-6

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Canal Insurance Company

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MAXUM INSURANCE COMPANY, a  
Delaware corporation,  
  
Plaintiff,  
  
vs.  
  
CANAL INSURANCE COMPANY, a  
South Carolina corporation, and DOES  
1 to 50,  
  
Defendants.

CASE NO.: CV 11-3418-AHM (AGR<sub>x</sub>)  
Honorable A. Howard Matz  
**DECLARATORY JUDGMENT**

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(AGR<sub>x</sub>)

CV 11-3418-AHM

**DECLARATORY JUDGMENT**

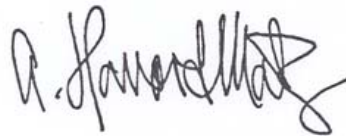
**DECLARATORY JUDGMENT**

Pursuant to this Court's February 28, 2012 order granting Defendant Canal Insurance Company's ("Canal") Motion to Dismiss, and the parties having acknowledged to the Court that Canal's motion is tantamount to a motion for a declaratory judgment, the Court finds, that as a matter of law, Plaintiff Maxum Insurance Company ("Maxum") is not entitled to the declaration which it seeks under California statutory law and that the rights of the parties with respect to their priority of coverage dispute will be governed by Oregon law.

Accordingly, It is Ordered, Adjudged and Decreed that Oregon law governs the rights of the parties in this dispute.

It Is Further Ordered Plaintiff Maxum take nothing, that judgment be entered in favor of Defendant Canal and that Defendant recovers its costs herein incurred.

Dated: March 14, 2012



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The Honorable A. Howard Matz  
Judge of the United States District  
Court-Central District California

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